

Autopsy probe put on hold

by Steve Pilkington
Tundra Times reporter

The Alaska State Legislature has shelved its probe into the state's autopsy system until after the end of the current session.

Sens. John Binkley, R-Bethel, and Al Adams, D-Kotzebue, the two rural lawmakers looking into reports of widespread problems in the state's system, say right now their main

priority is next year's budget.

After a statewide teleconference last February, Adams and Binkley ordered a report on autopsy and death investigation systems of some Lower 48 states.

But since that report, the probe into Alaska's system has halted, according to Binkley aide Molly McCammon.

"We probably won't have another teleconference until May — after the

session. We decided we would wait," McCammon said.

In Alaska, the law requires that when a person dies unattended by a physician or under suspicious circumstances, a magistrate or coroner decides whether an autopsy is necessary.

But according to Anchorage Coroner Charlene Doris, many

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magistrates lack the legal training or experience they need to handle every situation in rural Alaska.

If a body is taken for autopsy, this means the body is flown to Anchorage or Fairbanks where forensic pathologists work in funeral home facilities.

During last February's teleconference, Binkley heard from the public, funeral home directors and state program administrators about how Alaska's system is working. But some were unable to testify because of time limitations during the first teleconference.

People from around rural Alaska told state administrators that if a family does not communicate immediately with a funeral home, family members are often hit with unexpected costs — sometimes as high as \$1,500.

According to an Alaska statute, it is illegal to hold a body for debts, charges or upon a lien.

A major problem in the system, however, is that funeral homes say a "disclosure of costs" statute claims payment for services is required by law, according to testimony from James Hieber, general manager of Alaska Memorial Parks Inc. in Fairbanks.

Sometimes the funeral homes cannot return bodies until payment is assured, Hieber said.

"We don't do so without a method of payment determined," he said.

After the conference, Assistant Attorney General Elizabeth Ward wrote Adams' office about the conflicting statutes.

The "disclosure of costs" law was intended to protect people making funeral arrangements from unexpected costs, Ward said.

The problem is that funeral homes can hold caskets until payment is assured, she said.

"The family of a deceased person could arrange for the body to be picked up but the funeral home was not required to allow the casket to be picked up unless the casket was paid for or until payment was assured," Ward said.

"This provision should not be a barrier to the provision of services but rather a protection for the consumer," she said.

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In addition to the conflicting statutes, the rural legislators are looking into structural changes in the system.

According to Binkley aide McCammon, the senators are considering a central medical examiner's office.

"One thing that we have really discovered is that all the parts of the program are in bits and pieces," McCammon said.

She said the coroner's office and death investigation arm, the funeral homes used and the state department which handles payments for the program are spread all over.

'One thing we have really discovered is that all the parts of the program are in bits and pieces.'

—Molly McCammon

But opponents of changing the current system say it would be too expensive, she said.

"I think it would save money," she said. "And even if it didn't, it would be worth it."

The investigation of autopsy systems in the Lower 48, ordered by Binkley and Adams after the teleconference, was conducted by Richard Rainery, a senior legislative analyst.

Alaska's system is unique from any of the Lower 48 states surveyed, Rainery said in his report.

"The cost of operating a state medical examiners office should range from about \$1 to \$1.50 per capita, and a population of about 500,000 is necessary to support an efficient and sophisticated operation," Rainery said.

Alaska's Division of Public Assistance spent about \$1.10 per capita on autopsies in Fiscal Year 1988, he said.

In the states studied, 30 to 65 percent of the coroner's cases culminate in an autopsy, he said.

"In Alaska in recent years, about 35 to 40 percent of all deaths have been autopsied," he said.

Spokesmen for the two legislators say they will give public notice before the next autopsy teleconference.